

MINUTES**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION**

HON. CHARLES S. COODY	AT	Montgomery, Alabama
DATE COMMENCED:	11/8/06	AT
DATE COMPLETED:	11/8/06	TO
UNITED STATES OF AMERICA		*
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		CASE NO. 2:06MJ-107-VPM

VS.**RICHARD A. EVANS
CHARLES R. DUNLAP**

PLAINTIFF	APPEARANCES:	DEFENDANT
Atty. A. Clark Morris	*	
	*	Atty. Michael Petersen (Deft Evans)
	*	Atty. Samuel Walker (Deft Evans)
	*	Atty. Paul Cooper (Deft Dunlap)
	*	

COURT OFFICIALS PRESENT:**Court Room Deputy: WANDA STINSON****Law Clerk: Corrie Long**

**() NON-JURY TRIAL
(X) OTHER PROCEEDINGS: PRELIMINARY HEARING**

SEE MINUTES ATTACHED

LOG OF PROCEEDINGS ELECTRONICALLY RECORDED			
Description	Preliminary Examination - 06mj107-VPM		
Date	11/8/2006	Location	Courtroom 4B
Time	Speaker	Note	
10:02:52 AM	Court	Court convenes; parties present as noted; Discussions of the motion for detention - Defts waived their rights to detention hrg.; Court orders that the motions are denied as moot; Defts to remain in custody pending further proceedings;	
10:03:55 AM	Atty. Petersen	Deft Evans waives preliminary hrg.	
10:04:00 AM	Atty. Cooper	Deft Dunlap will proceed with the hearing;	
10:04:08 AM	Court	Counsel for Deft Evans and Deft Evan can remain in court for the hearing for the Dunlap proceeding;	
10:04:12 AM	Atty. Morris	Calls Detective C. J. Butterbaugh; witness is sworn and seated; Discussion of the bank robbery that occurred on October 18, 2006; Discussion of the victim teller statement; Discussion of the photo line up;	
10:14:00 AM	Atty. Cooper	Cross - examination ; Discussions as to statements taken of victims as the bank; Discussion of the video; Discussion of any threats made;	
10:23:31 AM	Atty. Morris	Re- direct; discussion of the demeanor of the victim teller and what was said to him;	
10:24:14 AM	Atty. Cooper	Re-Cross; Discussions as to the threat;	
10:25:51 AM	Court	Witness is excused;	
10:25:56 AM	Atty. Morris	Govt. rest;	
10:26:01 AM	Atty Cooper	Have no witnesses to call;	
10:26:04 AM	Court	Based on the evidence presented in court, Court finds that with respect to Deft Dunlap, there is probable cause to believe that a crime has been committed and that he committed it; therefore, he is bound over for further proceedings with the court.	

**IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA

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VS.

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CASE NO. 2:06MJ-107-VPM

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**RICHARD A. EVANS
CHARLES R. DUNLAP
Defendant**

WITNESS LIST:

GOVERNMENT

DEFENDANT

1. Det. C. J. Butterbaugh

N/A